

Remarks

Claims 1-3, 8, 9, 18-22, 27, 28, 34, 40, 42-45, and 47-49 are presently pending. Claims 4-7, 10-17, 23-26, 29-33, 35-39, 41, 46, and 50 have been withdrawn from consideration.

Reconsideration and re-examination of the application as amended is respectfully requested.

Rejections

35 USC § 103

Claims 1-3, 8, 9, 18-22, 27, 28, 34, 40, 42-45, 47-49 stand rejected under 35 USC § 103(a) as being unpatentable over Stephens (U.S Pat. No. 4,647,784) in view of Lemelson (U.S. Pat. No. 4,636,137) or Maekawa (U.S Pat. No. 4,664,590) and Ostwald (U.S Pat. No. 6,393,335). Applicants respectfully request that this rejection be withdrawn.

The pending claims were rejected by the combination of the above-cited references. Assuming that the references could be combined, which Applicant submits they cannot properly be combined, a combination of the cited references does not teach or suggest all the elements of the pending claims. In the Office Action, it was stated that the claims were obvious in light of the cited references because the "robots 2, 3 of Stephens could have two additional links with an end effector on the last link as taught by links 11, 15 of Lemelson or links...of Maekawa." Applicant submits that the combined teaching, even if possible, does not teach or suggest a continuous motion robotic device including first, second and third robotic *arms*, which is required by independent claims 1 and 40. Instead, the combined teaching of the cited references, at best, teach only separate *robots*, as was stated in the Office Action. Applicant submits that the *robots* cited in the Office Action are not robotic *arms*. Since any combination of the cited references do not teach or suggest a continuous motion robotic device including first, second and third robotic *arms*, Applicant submits that independent claims 1 and 40 are not obvious in light of the cited references. Claims 2-3, 8-9, 18-22, 27-28, and 34 depend from and further limit independent claim 1. For at least the same reasons, claims 2-3, 8-9, 18-22, 27-28, and 34 are not obvious in light of any combination of the cited references. Claims 42-45 and 47-49 depend from and further limit independent claim 40. For at least the same reasons, claims 42-45 and 47-49 are not obvious in light of any proper combination of the cited references.

Notwithstanding the statements in the Office Action, it is unclear why one of ordinary skill in the art would select and attempt to combine the primary and secondary references absent the inappropriate use of hindsight analysis. For example, it is unclear why one of ordinary skill in the art having selected the primary reference would select the secondary references without the use of hindsight analysis. Further, it is not clear from the Office Action where there is proper

motivation to modify the primary reference to provide Applicants' claimed invention, since the Office Action was silent as to where any motivation is to be found.

The apparatus disclosed by the Stephens reference is a truck that is remotely guided to move materials (col.2, ln.41). The Lemelson reference teaches an automatically controlled article manipulation and transfer apparatus (col. 1, ln.17-20). The Lemelson reference requires a video system for control the apparatus (Abstract). The Office Action is silent, and it is unclear to Applicant, as to where there is any proper motivation to combine the references and, as previously discussed, the combination still does not teach or suggest the invention of the pending claims.

As to Stephens reference in view of the Maekawa and Ostwald references, the apparatus disclosed by the Stephens reference is a truck that is remotely guided to move materials (col.2, ln.41). The Maekawa reference teaches a single robot transported between multiple robot working areas (col. 1, ln. 38-40). The Office Action is silent, and it is unclear to Applicant, as to where there is any proper motivation to combine the references and, as previously discussed, the combination still does not teach or suggest the invention of the pending claims. Similarly, it is unclear to as to how the Ostwald reference can be properly combined with the other references and where any motivation to do so is found.

For the foregoing reasons, Applicant respectfully request that the Examiner reconsider and withdraw the rejection and respectfully request the Examiner issue a Notice of Allowance.

In the Specification

The number "260" has been replaced with the number "216." This typographical correction is clear from FIG. 5A and its supporting text.

Interview

The undersigned acknowledges with appreciation the March 26, 2003, telephone interview granted by the Examiner to himself wherein the essence of this response was discussed.

CONCLUSION

Claims 1-3, 8, 9, 18-22, 27, 28, 34, 40, 42-45 are pending. In light of Applicants' response, Applicants believe the pending claims are in condition for allowance and respectfully request the Examiner issue a Notice of Allowance.

Respectfully submitted,

May 19, 2003
Date

By: Rick Franzen

Rick L. Franzen, Reg. No.:
Telephone No.:

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833